

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

-v-

BRUCE MORRIS,

Defendant.

24-CR-358 (JMF)

ORDER

-----X  
JESSE M. FURMAN, United States District Judge:

Attached to this Order is the instruction that the Court proposes to give the jury in response to its note at the end of the day on Friday. If either party has an objection (or suggestion) with respect to the proposed instruction, it shall file it on ECF by 8 a.m. tomorrow, January 21, 2025. Further, the parties shall be in the Courtroom ready to discuss the proposed response by 8:50 a.m.

SO ORDERED.

Dated: January 20, 2025  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge

**UNITED STATES v. MORRIS, S2 24-CR-358 (JMF)**  
**DRAFT RESPONSE TO JUROR NOTE (COURT EXHIBIT 3)**

1           Your third note, from the very end of the day on January 17, 2025, posed two questions.  
2           First, you asked whether, if you find the defendant guilty on Count One, the drug conspiracy  
3           charge, you are “required to check either of the options for (1) or (2) or is it permissible to leave  
4           [them] blank.” And second, in connection with calculating quantities, you asked for clarification  
5           on “(a) the years in consideration (b) the number of people in consideration.” Let me answer  
6           those questions in reverse order.

7           The Indictment alleges that the conspiracy charged in Count One took place from at least  
8           in or about 2014 through in or about 2023 (although I remind you that it is sufficient if you find  
9           that the charged conspiracy existed around the dates set forth in the Indictment). It is entirely up  
10          to you to determine whether that conspiracy existed; if so, whether the defendant was a member  
11          of it; and if so, what the duration of the conspiracy was and who the other member or members  
12          of the conspiracy were. In making these determinations, you should consider the instructions I  
13          previously gave you, at pages 16-21 of my instructions, regarding what a conspiracy is and what  
14          it means to be a member of a conspiracy.

15          In determining the type and quantity of drugs attributable to the defendant, you should  
16          consider both (1) all drug transactions during the life of the conspiracy, whether completed or  
17          merely intended, in which the defendant personally participated; and (2) any transactions  
18          completed or intended during the life of the conspiracy by other members of the conspiracy that  
19          were reasonably foreseeable to the defendant.

20          In response to your question about the Verdict Form: If you were to find the defendant  
21          guilty of Count One, you may leave Questions 1 and 2, which ask you about the type and

1 quantity of drugs involved in the conspiracy, blank. That means, if you were to find the  
2 defendant guilty of Count One, you would have three options with respect to type and quantity:

3 First, you should leave questions 1 and 2 blank if you do not unanimously agree that the  
4 Government proved beyond a reasonable doubt that the conspiracy involved at least 28 grams of  
5 crack cocaine or at least 100 grams or more of heroin.

6 Second, you should check the appropriate box if you unanimously agree that the  
7 Government proved beyond a reasonable doubt that the conspiracy involved either (a) at least 28  
8 grams, but less than 280 grams of crack cocaine; or (b) at least 100 grams, but less than 1  
9 kilogram of heroin.

10 Or third, you should check the appropriate box if you unanimously agree that the  
11 Government proved beyond a reasonable doubt that the conspiracy involved either (a) at least  
12 280 grams of crack cocaine or (b) at least 1 kilogram of heroin.